

**Minutes of the Carlisle Board of Health  
October 28, 2014**

**Bills**

**Administrative Reports**

Ferns Country Store Annual Food Establishment Permit (11/5/14)

Benfield Farms – septic and well issues #1

81 Russell Street (Garrison Place) #2

- Escrow Agreement (BOH comments & town counsel draft)
- Proposed Schematic Irrigation Plan (10/16/14)
- Revised Master Deed and O&M Covenants

**DISCUSSION ITEMS**

Long Ridge Road 40B Permit #3

- Private Water Supply Provisions (Brem)
- GHC Comments (Peer Review) 10/19/14
- Zoning Board 10/27/14 meeting report (Risso, Storrs)

Transfer Station – Compliance Certification – DEP letter dated #4

95 Hanover Road – #5

- Permit Compliance – timeline summary
- Letter from owner 10/14/14
- BOH letter to owner 10/24/14
- Copy of letter to Carlisle Selectmen 10/27/14
- Letter from installer 10/26/14 (photos)
- Revised septic plan ( 10/8/14) – not reviewed

**NEW BUSINESS**

The meeting was called to order by the Chairman at 7:00 pm at Carlisle Town Hall. Present were Board members Bill Risso (Chairman), Lee Storrs, Donna Margolies, Cathy Galligan and Todd Thorsen. Also present were Linda Fantasia, Health Agent, Ginny Lamere (Carlisle Mosquito); residents Mike Hanauer, Peter French, Steve Davis, Dana Booth and Ed Rolfe of the Planning Board.

**BILLS** – Name plate for Todd Thorsen. **It was moved (Galligan) and seconded (Storrs) to approve the bills as presented. Motion passed 5-0-0.**

**ADMINISTRATIVE REPORTS**

**Senior Flu Clinic** – October 15<sup>th</sup> from 10-12 in the Clark Room; 99 vaccinations were administered by three nurses, including 2 public safety and 1 town employee. The nurses also did 2 home visits and 10 teachers at the school. Carlisle Medical Reserve Corps and Council on Aging provided volunteers. State supplied vaccine was not used. The Fire Dept. will cover the cost of the public safety individuals. The Inn at Robbins Brook Senior Living provided the refreshments at no charge. The Outreach Coordinator also helped with setting up and assisting elderly residents. Parking was limited but adequate. Signs asking town hall employees to park at the end of the lot needed to be posted earlier.

**Mass. Health Officers Association Annual Conference** – Risso and Fantasia attended. There was a lot of good information on alternative technologies. One vendor demonstrated a service that is available to track reporting compliance. The Board suggested making this a community service project for a high school or college student. The vendors also had good advice for homeowners such as the importance of the pH in the water which the Board would like to publicize. They explained the importance of the correct particle size for Title 5 sand and fines for the fill to enhance system performance in future functioning. The Mosquito may be interested in doing a feature story. Risso was particularly impressed with the Presby-Advanced Enviro Septic Technology.

**Great Brook Farms – septic system repair** – The system is being upgraded under a permit from DEP which has jurisdiction over state properties. The Board had agreed to have Rob Frado inspect the installation. Frado had some concerns about the fill being used and provided some field suggestions to the installer. Frado will check with Claire Golden of DEP about the fill.

**Deer Management Panel Discussion** – January 15, 2015 at the Carlisle Schools. Carlisle will host the next meeting of the Middlesex Tick Task Force. The Lyme Disease Subcommittee has been asking residents to self-report on tick diseases to compare with the state’s surveillance program.

**Ongoing** – The Board added possible changes to its Subdivision Regulations for detention basins. This was a recommendation of the Planning Board.

**Tick Testing** – Resident Mike Hanauer asked about the program. The Board explained it is intended to identify infected ticks to demonstrate areas of high concern. It is not intended to provide a medical diagnosis for residents.

**FERNS COUNTRY STORE FOOD ESTABLISHMENT LICENSE** – next meeting.

**BENFIELD FARMS – septic and well issues.**

Fantasia said the Board continues to receive complaints about the water quality and odors both inside and outside. The Fire Dept. was called to investigate an odor complaint in the building over the weekend. One possibility for the odors is a dry trap in the utility room. Fantasia notified the property manager and contacted the tenant who complained. The property manager is in the process of replacing the fractured tank covers. Plastic ones were installed instead of cast iron. Benfield is also working with its Certified Well Operator on correcting problems with the filtration system.

Peter French, resident, said he is concerned in general about protecting drinking water in town. He lives near the 100 Long Ridge Road 40B project. He would like to see more local control. Risso explained that Benfield Farms has a Public Water Supply and is regulated by the state. The water is tested on a regular basis. The Board generally prefers a PWS for any densely populated parcel.

The Board agreed to advise Benfield Farms that it needs to provide all testing results and repair reports to the Board. This can be done electronically. It is important to keep the Board up to date since tenants often call the Board of Health with complaints.

## **81 RUSSELL STREET (GARRISON PLACE)**

The Board reviewed and edited the draft Deed, Escrow Agreement and Trust documents. Fantasia will incorporate the comments into a final draft. The Board discussed whether to allow irrigation and agreed that it wants more detail on the proposed irrigation scheme. Currently there is only a plan dated 10/18/14 locating system components. The Board is considering developing a general policy for multi-housing projects to help protect groundwater resources. Any conditions should preclude future expansion of the system without Board approval. Risso suggested using a % of the recharge for irrigation to maintain the water balance. This is what was done at the Coventry Woods development. The Board is interested in sustainability and protection of natural resources and that its request to limit irrigation is reasonable.

## **100 LONG RIDGE ROAD – LIFETIME GREEN HOMES COMPREHENSIVE B APPLICATION**

The Board reviewed recommended well testing procedures from DEP, a report dated 10/24/14 from Nitsch Engineering, peer review consultant for the Zoning Board of Appeals (ZBA), recommendations on the scope of work for the well testing dated 10/19/14 from Steve Smith of GeoHydroCycle, Inc., (GHC) subcontracted by Nitsch Engineering, proposed “Condominium Provisions Relative to Water Lines and Wells (Private Water Supply) submitted by the applicant, Jeff Brem. Risso noted that he, Storrs, Fantasia and town counsel will be meeting with DEP to discuss the Board’s concerns about the private well option on 11/17/14. Town counsel is preparing a legal memo explaining the Board concerns. The Board listed their concerns as follows: testing the hydraulic connectivity of the wells; classification as a Public Water Supply (PWS); establishing methods for testing wells onsite and within 500’ of the perimeter; lack of backup power during an emergency; potential for high levels of arsenic in the area; inadequate protection of wellheads similar to a Zone I; managing disputes between two or three owners sharing a well; providing drywells for discharge of filtration backwash.

The Board agreed that the population density in the development increases the potential for problems with the water supply. The Board wants to know about problems before they happen. A PWS requires a minimum 48 hour pump test, water quality monitoring and treatment if necessary, and must have a Certified Well Operator to maintain the system. The applicant may be concerned about the additional ongoing costs of maintaining a PWS and how it might affect the affordability of some of the units. The Board agreed that maintenance costs can put the affordable units in a 40B disproportionately at risk. It could also place an additional burden on the market rate units which some owners might resent.

Abutter Steve Davis said he had reviewed the reports from both GHC and Horsley Witten, Inc. which had been retained by the abutters. He thought it would be helpful for Scott Horsley to attend the meeting with DEP. Risso said the meeting was arranged by the applicant (Jeff Brem) after the Board asked him to obtain a determination from DEP on the water supply. The Board had asked to be included and the applicant agreed. Since legal documents would be discussed, town counsel will also attend. Although the Board would like to pursue the PWS with DEP, the purpose of the meeting according to Brem is to review the well ownership documents. Following an earlier meeting with DEP's Jim Persky of the Drinking Water Program, the Board thought that the private wells would be acceptable to DEP. The Board may ask for a follow-up meeting to discuss classifying the development as a PWS. Risso said that if the abutters have information pertaining to potential health and environmental risks with private wells, the Board would be interested. Davis said he would like to see the wells dye tested for hydraulic impact. Risso agreed that this would show the water plume through the bedrock. Davis was also concerned about later impacts and costs to mitigate. He questioned whether there would be money to address problems in the future. Risso said that both Smith and Horsley agreed that typically a well draws from close by, including bedrock well. There is the potential however, of intersecting fractures in the bedrock which could result in faster disbursement of pollutants and wider geographical impacts. Davis thought the Board should consider impacts greater than 500' from the project. Dana Booth agreed that dealing with bedrock fractures is more complicated than an overburden of sand. The Board may consider asking if Steven Smith of GHC could attend the DEP meeting.

Hanauer said he is also concerned about storm water runoff. The Board said this is not within its jurisdiction. The Planning Board will be commenting on drainage. Hanauer asked who reviews the legal documents. The Board said it is only responsible for identifying environmental or health risks. Ed Rolfe, Planning Board liaison, said the ZBA issues the conditions but will ask for the Board of Health endorsement.

Risso reported that Brem had agreed to a 60 day extension for the ZBA hearings. The ZBA had asked for a 90 day extension. The two hydrogeologists gave presentations on the groundwater issues including transport of pathogens. Galligan reminded the Board that the MTBE pollution in the center was spread through bedrock fractures. It does not take much for a very soluble contaminant to travel through fractures. Storrs would be in favor of dye testing but the tracer would need to be something potable. The Board did not have more information on how the test would be done. Risso said the project is contemplating a mix of four alternative technologies for the septic system. No final decision has been made. French felt that the neighbors and their experts were being left out of the ZBA discussions.

The Board agreed to report on the meeting with DEP. The Board wants to keep its hearings as inclusive as possible.

## **DISCUSSION**

**Transfer Station** - Fantasia noted the town needs to submit a Waste Ban Compliance Certification for the Transfer Station by 2/15/15. She has informed the Town Administrator. The Town must hire or have a trained professional certify the operation. The permit needs to be renewed every five years. The Board is still unclear about the new permitting process which was put on hold by DEP in 2010.

**95 Hanover Road** – The Board agreed that Dr. Chantal Nouvellon, owner, cannot transfer the inspections to Concord since the Concord Board of Health has no authority over systems in Carlisle. Fantasia presented a timeline of the installation activities which is now up to 245 days from the start of work and no SAS components have been installed. The Board felt that Nouvellon has had sufficient time to resolve the installation problems. The Board has been very generous in meeting her requests. The Board is not pleased that she failed to follow through on the plan submitted last July to remove and replace the fill. No explanation was given to the Board. The installer, Mike

Moreshead, has informed the Conservation Administrator that he would like to have the work completed by 11/15/14. The Board will not agree to this. A revised septic plan has not been submitted to relocate an existing drain, engineering fees are due for special inspections and engineering review due to the problems with the fill, timetables established by the Board have been ignored. At this point the Board may need to consider an Enforcement Order since the site is being left open. The permit is no longer valid since it has not complied with the 90 completion date under local regulations. A Notice of Non-compliance will be sent to the owner and installer stating that the permit is no longer valid and listing the items that need to be addressed: failure to meet the 90 day completion date; failure to meet as requested with the Board; failure to remove the contaminated fill as approved by the Board in July; failure to submit a revised plan; failure to pay for the additional engineering costs.

The Board is concerned that Nouvellon's failure to address these issues jeopardizes the future functioning of the system. The Board is only looking for the best system to be installed. To do otherwise might result in an unexpected and premature failure of the system. The Board regrets that it allowed the work to start last November which was based on Nouvellon's statement that she needed an Occupancy Permit by the end of January. The Board is concerned about leaving the system exposed for a second winter. If the installer believes he can finish the system within 10-15 days, it should not be a hardship to start March 1<sup>st</sup>. The house is still not close to completion.

**Meeting Dates: 11/5/14, 11/18/14, 12/9/14 and possibly 12/16/14.**

**NEW BUSINESS** - None

There was no further business. Meeting voted to adjourn at 9:10 pm.

Respectfully submitted,

Linda M. Fantasia  
Recorder